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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/522,325	ZONOUN, MOHAMMAD R.	
	Examiner	Art Unit	
	NGHI H. LY	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 22 December 2008.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-120 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-32 and 38-120 is/are rejected.

7) Claim(s) 33-37 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application

6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7, 10-15, 17, 61-65, 67, 71-75, 77, 81-85, 87, 91-95, 97, 101-105, 107 and 111-115 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buhrmann et al (US 6,169,895) in view of Nelms et al (US 6,148,178) and further in view of Jones (US 2003/0093218A1) and Murray et al (US 5,831,545).

Regarding claims 1, 11, 61, 71, 81, 91, 101 and 111, Buhrmann teaches an apparatus (see fig.2) comprising: the activation message being sent from an activator via a communication medium (see fig.2, connection between microprocessor 24 and codec 22) in response to a telephony call (see fig.2, connection “*ring det.*” between microprocessor 24 and item 26, and see column 6, lines 28-30), the decoder generating an activation command (see fig.2, connection between microprocessor 24 and codec 22), and a transmitting unit coupled to the decoder to transmit a signal modulated from an information message to a receiver using a communication protocol (see fig.2, connection between codec 22 and RF 21, and see column 7, lines 28-32), in response to the activation command (see fig.2, connection “*ring det.*” between microprocessor 24 and item 26, and see column 6, lines 28-30).

Buhrmann does not specifically disclose a decoder to decode an activation message.

Nelms teaches disclose a decoder to decode an activation message (see Abstract and column 7, lines 61-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Nelms into the system of Buhrmann in order to provide a method to consistently formatting message received by a wireless message receiver (see Nelms, column 1, lines 4-7).

The combination of Buhrmann and Nelms does not specifically disclose the activate message being sent from a request subsystem via a communication medium in response to telephony call.

Jones teaches the activate message being sent from a request subsystem via a communication medium in response to telephony call (see [0117]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Jones into the system of Buhrmann and Nelms in order to monitor and communicate travel data transmitted from vehicles being monitored by the system (see Jones, Abstract).

The combination of Buhrmann and Nelms and Jones does not specifically disclose an information message containing respective geographical location information of the transmitter containing the transmitting unit.

Murray teaches an information message containing respective geographical location information of the transmitter containing the transmitting unit (see column 3, lines 25-26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Murray into the system of Buhrmann and Nelms and Jones in order to provide an acknowledge back portable selection call radio for use in a selective call signal radio system (see Murray, Abstract).

Regarding claims 2, 12, 62, 72, 82, 92, 102 and 112, Buhrmann teaches the receiver is coupled to a server (see fig.1), the server embedding the information message in network data to be sent over a network (see fig.1).

Regarding claims 3, 13, 63, 73, 83, 93, 103 and 113, Buhrmann teaches the communication protocol uses one of a multi-frequency tone, an ultra-red signal, a microwave signal, and an electromagnetic signal (see column 9, lines 44-59 and see column 5, lines 50-67).

Regarding claims 4, 14, 64, 74, 84, 94, 104 and 114, Buhrmann teaches the transmitting unit comprises a modulator to modulate the information message according to a modulating scheme (see column 7, lines 33-38).

Regarding claims 5, 15, 65, 75, 85, 95, 105 and 115, Buhrmann teaches the modulating scheme (see column 7, lines 33-38) is compatible with a sound signal (see column 7, lines 47-50).

Regarding claims 7, 17, 67, 77, 87, 97, 107 and 117, Buhrmann teaches the information message includes a location identifier corresponding to location of the transmitting unit (see column 6, line 59 to column 7, line 9).

Regarding claim 10, Buhrmann teaches the telephony call is an emergency call using an emergency call number (see column 8, lines 6-11 and column 8, lines 36-40).

Regarding claims 81 and 91, Buhrmann teaches a computer program product (see microprocessor 24) comprising: a machine useable medium having computer program code embedded therein (see column 1, lines 44-49, see "codes" and see column 7, lines 39-46, see "encoding/decoding"), the computer program product having: computer readable program code for decoding an activation message to generate an activation command (column 1, lines 44-49, see "codes" and column 7, lines 39-46, see "encoding/decoding"), the activation message being sent from an activator via a communication medium in response to a telephony call (see fig.2, connection "*ring det.*" between microprocessor 24 and item 26, and see column 6, lines 28-30), and computer readable program code (see microprocessor 24) for transmitting a signal modulated from an information message (see fig.2, connection between codec 22 and RF 21, and see column 7, lines 28-32), responsive to the activation command by a transmitting unit (see fig.2, connection "*ring det.*" between microprocessor 24 and item 26, and see column 6, lines 28-30), to a receiver using a communication protocol (see column 6, lines 28-30).

3. Claims 6, 16, 66, 76, 86, 96, 106 and 116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buhrmann et al (US 6,169,895) in view of Nelms et al (US 6,148,178) and Jones (US 2003/0093218A1) and further in view of Murray et al (US 5,831,545) and Bjork et al (US 6,084,862).

Regarding claims 6, 16, 66, 76, 86, 96, 106 and 116, the combination of Buhrmann, Nelms, Jones and Murray teaches claims 1, 11, 61, 71, 81, 91, 101 and 111. The combination of Buhrmann, Nelms, Jones and Murray does not specifically disclose the modulating scheme uses a pseudo random binary sound (PRBS).

Bjork teaches the modulating scheme uses a pseudo random binary sound (PRBS) (see column 7, lines 14-22 and column 7, lines 29-38. In addition, applicant's specification page 13, line 23 to page 14, lines 8, disclose that "PRBS signal behaves like white noise").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Bjork into the system of Buhrmann, Nelms, Jones and Murray in order to provide techniques for measuring an amount of time dispersion associated with a received radio signal (see Bjork, column 1, lines 5-17).

4. Claims 8, 9, 18, 19, 20, 68, 69, 70, 78, 79, 80, 88, 89, 90, 98, 99, 100, 108, 109, 110, 118, 119 and 120 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buhrmann et al (US 6,169,895) in view of Nelms et al (US 6,148,178) and further in

view of Jones (US 2003/0093218A1), Murray et al (US 5,831,545) and Walsh et al (US 6,603,977).

Regarding claims 8, 18, 68, 78, 88, 98, 108 and 118, the combination of Buhrmann, Nelms, Jones and Murray teaches claims 1, 11, 61, 71, 81, 91, 101 and 111. The combination of Buhrmann, Nelms, Jones and Murray does not specifically disclose the location identifier includes global positioning system (GPS) information.

Walsh teaches the location identifier includes global positioning system (GPS) information (see column 4, lines 55-65 and column 6, lines 12-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Walsh into the system of Buhrmann, Nelms, Jones and Murray in order to provide accurate location information.

Regarding claims 9, 19, 69, 79, 89, 99, 109 and 119, the combination of Buhrmann, Nelms, Jones and Murray teaches claims 1, 11, 61, 71, 81, 91, 101 and 111. The combination of Buhrmann, Nelms, Jones and Murray does not specifically disclose the telephony call is made by a person located in proximity of the location of the transmitting unit.

Walsh teaches the telephony call is made by a person located in proximity of the location of the transmitting unit (see column 8, lines 17-31 and column 10, lines 46-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Walsh into the system of Buhrmann, Nelms, Jones and Murray in order to provide accurate location information.

Regarding claims 20, 70, 80, 90, 100, 110 and 120, Buhrmann teaches the telephony call is an emergency call using an emergency call number (see column 8, lines 6-11 and column 8, lines 36-40).

5. Claims 21-32 and 54-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sollenberger et al (US 6,404,388) further in view of Jones (US 2003/0093218A1) and further in view of Murray et al (US 5,831,545).

Regarding claims 21, 54 and 57, Sollenberger teaches a network comprising a plurality of commonly coupled location transmitters (see fig.1, fig.2, fig.8, column 7, lines 12-16 and column 9, lines 53-56, where Sollenberger teaches a plurality of transceivers), each transmitter comprising a transmission unit to broadcast a signal modulated from an information message containing respective location information in response to a telephony call (see Abstract, column 2, lines 38-53, column 8, lines 7-25, see "*location should be transmitted to particular destination, including a public service provide, the mobile phone, a third party or a database*", column 10, lines 51-58. see "*to the mobile telephone 16 itself*").

Sollenberger does not specifically disclose an information message upon receipt of an activation request that request the geographical location information, the activate request being generated from a request subsystem in response to a telephony call.

Jones teaches an information message upon receipt of an activation request that request the geographical location information (see [0117]), the activate request being generated from a request subsystem in response to a telephony call (see [0117]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Jones into the system of Sollenberger in order to monitor and communicate travel data transmitted from vehicles being monitored by the system (see Jones, Abstract).

The combination of Sollenberger and Jones does not specifically disclose an information message containing respective geographical location information of the transmitter.

Murray teaches an information message containing respective geographical location information of the transmitter (see column 3, lines 25-26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Murray into the system of Sollenberger and Jones in order to provide an acknowledge back portable selection call radio for use in a selective call signal radio system (see Murray, Abstract).

Regarding claim 22, Sollenberger teaches the transmission unit of a transmitter broadcasts the respective geographical location information on a substantially periodic basis (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 23, Sollenberger teaches the transmission unit of a transmitter broadcasts the respective geographical location information on a substantially continuous basis (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 24, Sollenberger teaches the transmission unit of a transmitter broadcasts the respective geographical location information responsive to an activation request upon receipt of the telephony call (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 25, Sollenberger teaches at least one of the plurality of transmitters (see fig.1, fig.2, fig.8, column 7, lines 12-16 and column 9, lines 53-56, where Sollenberger teaches a plurality of transceivers) comprises a reception unit coupled to the transmission unit of the at least one of the plurality of transmitters (see fig.1, fig.2, fig.8, column 7, lines 12-16 and column 9, lines 53-56, where Sollenberger teaches a plurality of transceivers), the reception unit to receive the activation request and to notify the transmission unit of such receipt (see column 8, lines 38-50 and column 8, line 66 to column 9, line 10).

Regarding claim 26, Sollenberger teaches each transmitter further comprises a reception unit coupled to the transmission unit to receive an activation request and to notify the transmission unit of such receipt and wherein the reception units of a set of the transmitters to receive the activation request at substantially the same time (see column 8, lines 38-50 and column 8, line 66 to column 9, line 10).

Regarding claim 27, Sollenberger teaches the set of the transmitters comprises all of the plurality of transmitters in the network (see fig.1, fig.2, fig.8, column 7, lines 12-16 and column 9, lines 53-56, where Sollenberger teaches a plurality of transceivers).

Regarding claim 28, Sollenberger teaches the set of the transmitters comprises less than all of the plurality of transmitters in the network (see fig.1, fig.2, fig.8, column

7, lines 12-16 and column 9, lines 53-56, where Sollenberger teaches a plurality of transceivers).

Regarding claim 29, Sollenberger teaches the transmitters are geographically dispersed to form a distributed location broadcast system (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 30, Sollenberger teaches the transmission unit of a transmitter broadcasts respective broadcast information in a format consistent with at least one of an identification tag, an absolute location, and a relative location (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 31, Sollenberger teaches a network component capable of coupling to a first transmitter of the plurality of transmitters to receive and process the respective geographical location information broadcast by the first transmitter (see fig.1, fig.2, fig.8, column 7, lines 12-16 and column 9, lines 53-56, where Sollenberger teaches a plurality of transceivers, also see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 32, Sollenberger teaches a server coupled to the plurality of transmitters to selectively issue the activation request to the plurality of transmitters (see fig.1, fig.2, fig.8, column 7, lines 12-16 and column 9, lines 53-56, where Sollenberger teaches a plurality of transceivers).

Regarding claim 55 and 58, Sollenberger teaches the location information is one of a pre-determined location information and a global positioning system (GPS)

information (see column 1, line 59 to column 2, line 2 and column 4, line 55 to column 5, line 3).

Regarding claim 56 and 59, Sollenberger teaches the telephony call is one of an emergency call, a commercial transaction call, and an intrusive call (see column 1, lines 25-58).

Regarding claim 60, Sollenberger teaches a networkable component (see fig.1 and fig.8) comprising: a location sensor to provide location information in response to a telephony call (see fig.1 and fig.8, Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57. In order to provide location information, the teaching of Sollenberger inherently teaches “a location sensor”), a determination unit coupled to the sensor (see fig.1 and fig.8, Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57. In order to provide location information, the teaching of Sollenberger inherently teaches “a location sensor”), the determination unit to determine the location information (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57), and a network interface coupled to the determination unit to selectively transmit the location information over a network (see fig.1 and fig.8, Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

6. Claims 38-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sollenberger et al (US 6,404,388) in view of Jones (US 2003/0093218A1) and further in view of Mauney et al (US 5,214,757).

Regarding claim 38, Sollenberger teaches a method of locating a networkable component (see fig.1 and fig.8), comprising: receiving a location information request (see column 8, lines 38-50 and column 8, line 66 to column 9, line 10, also see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57), the location information request requiring a location information (see column 8, lines 38-50 and column 8, line 66 to column 9, line 10, also see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57), generating the location information and transmitting in response to the location information request (see column 8, lines 38-50 and column 8, line 66 to column 9, line 10, also see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Sollenberger does not specifically disclose receiving a request from a request subsystem in response to telephony call.

Jones teaches receiving a request from a request subsystem in response to telephony call (see [0117]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Jones into the system of Sollenberger in order to monitor and communicate travel data transmitted from vehicles being monitored by the system (see Jones, Abstract).

The combination of Sollenberger and Jones does not specifically disclose generating at least one data packet comprising the location information and transmitting the at least one data packet in response to the location information request.

Mauney teaches generating at least one data packet comprising the location information and transmitting the at least one data packet in response to the location information request (see column 3, lines 32-38).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Mauney into the system of Sollenberger and Jones in order to provide an automated, fully transportable mapping system (see Mauney, Abstract).

Regarding claim 39, the combination of Sollenberger, Jones and Mauney teaches the data packet (see Mauney, column 3, lines 32-38) and Internet Protocol (see Jones, [0066]). The combination of Sollenberger, Jones and Mauney does not specifically disclose the data packet complies with Internet Protocol. However, the examiner takes Official notice that such feature as recited is very well known in the art.

Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention was made to modify the above teaching of Sollenberger, Jones and Mauney for providing a method as claimed, for the data packet complies with Internet Protocol.

Regarding claim 40, Sollenberger teaches the receiving of the location information is performed by a receiver (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 41, Sollenberger teaches storing the location information in a store for storing location information (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 42, Sollenberger teaches receiving the location information from a location information receiving device (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 43, Sollenberger teaches the location information receiving device is a Global Positioning System receiver (see column 1, line 59 to column 2, line 2 and column 4, line 55 to column 5, line 3).

Regarding claim 44, Sollenberger teaches the location information is an absolute reference to a location (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 45, Sollenberger teaches the absolute reference comprises geographic coordinates (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 46, Sollenberger teaches the absolute reference contains a location address (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 47, Sollenberger teaches the absolute reference comprises Global Positioning System data (see column 1, line 59 to column 2, line 2 and column 4, line 55 to column 5, line 3).

Regarding claim 48, Sollenberger teaches the location information comprises a relative reference to a location (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 49, Sollenberger teaches the location information comprises a predetermined code associated with a location (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 50, Sollenberger teaches the location information request is generated in response to an emergency telephony call (see column 1, lines 25-58).

Regarding claim 51, Sollenberger teaches the location information request originates from a networkable component (see Abstract, column 2, lines 38-53, column 8, lines 7-25 and column 10, lines 38-57).

Regarding claim 52, Sollenberger teaches the networkable component is an emergency Server (see column 1, lines 25-58).

Regarding claim 53, the combination of Sollenberger, Jones and Mauney teaches the networkable component comprises an association with a commercial transaction (see Jones, [0011], [0013] and [0088]).

Allowable Subject Matter

7. Claims 33-37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 33-37 are objected for the reasons as stated in the previous Office action 08/29/2008, page 16 and 17.

Response to Arguments

8. Applicant's arguments with respect to claims 1-32 and 38-120 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571)272-7911. The examiner can normally be reached on 9:30am-8:00pm Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nghi H. Ly

/Nghi H. Ly/
Primary Examiner, Art Unit 2617